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3                   UNITED STATES DISTRICT COURT  
4                   WESTERN DISTRICT OF WASHINGTON  
5                   AT TACOMA

6 SYLVESTER JAMES MAHONE,

7                   Plaintiff,

8                   v.

9 PIERCE COUNTY, PIERCE COUNTY  
10 SHERIFF'S DEPARTMENT, PAUL  
11 PASTOR, RICH ODEGARD, LT.  
12 CHARLA JAMES, MARVIN  
13 SPENCER, and MARTHA KERR,

14                   Defendants.

15                   No. C10-5847 RBL/KLS

16                   **ORDER ADOPTING REPORT AND  
17 RECOMMENDATION**

18                  The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen  
19 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,  
20 does hereby find and **ORDER**:

- 21                  1)     The Court adopts the Report and Recommendation.
- 22                  2)     Defendants' Motion to Dismiss and Cancel Lis Pendens (ECF No. 15) is  
23                   **GRANTED**; Plaintiff's claims against Defendants are **dismissed with  
24 prejudice**.
- 25                  3)     The Clerk is directed to send copies of this Order to Plaintiff, counsel for  
26 Defendant and to the Hon. Karen L. Strombom.

27                  **DATED** this 10<sup>th</sup> day of June, 2011.

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30                   RONALD B. LEIGHTON  
31                   UNITED STATES DISTRICT JUDGE